Howard County Schedule of Hearings Before the Board of Appeals August 12, 2016

BA - Board of Appeals Hearing: PB - Planning Board Meeting:

All meetings and hearings are held on the first floor of 3430 Courthouse Drive, Ellicott City, MD 21043

Telephone: (410) 313-2350

Key-

V - Variance S - Sign Case

C - Conditional Use N - Nonconforming Use (NCU)

D - Departmental Appeal

BA - Board of Appeals

PB - Planning Board

WS - Work Session

TBS - To Be Scheduled

HEARINGS SCHEDULED @ 6:30 P.M.

CASE #	PETITIONER	DATE OF HEARING
BA 15-024C&V	Naresh C. Das (Oh)	9/8/16
BL	Conditional use for a religious facility to construct a 2,000 sq.ft. Hindu prayer hall for use by the Jagannauth Temple of North America and variance to reduce the use setback from lot lines to accommodate a proposed driveway (2028 Millers Mill Road, Woodbine) (appeal of Hearing Examiner's decision of denial)	(Cont: 9/27 & 9/29)
BA 15-026C	Streaker Firewood, LLC. (Meachum)	10/13/16
ZK	Conditional Use for bulk firewood processing (13300/13370 Route 144, West Friendship, MD) (appeal of Hearing Examiner's decision of denial)	(Cont: 10/27/16)
BA 14-022C	Two Farms, Inc. (Oh)	11/22/16
BL	Conditional use for a gasoline service station	
	(8268 Lark Brown Road, Columbia)	
	(appeal of Hearing Examiner's decision of denial)	

PENDING DECISION

CASE # PETITIONER

BA 702-D	AMHA, LLC. & British American Building, LLC. (K. Taylor) Appeal of a letter from DPZ to Two Farms, Inc. dated 2/11/14 approving request to waive Subsection 16.119(f)(1) of the Subdivision Regulations as it applied to plans for Royal Farms Store #186 & Canton Car Wash (WP 14-080) (Appeal by Kathryn Taylor, Esq. of the Hearing Examiner Dismissal)	To be Dismissed 9/8/15
BA 14-018C JJ	Elisa Kamens (Oh) Conditional Use for a pet day care facility	12/3/15

(4807 Manor Lane, Ellicott City)

PENDING DECISION (continued)

CASE # PETITIONER

BA 708-D Laura "Nuit" Hansgen 12/10/15

Appeal of the denial by DPZ for a non-conforming use in NCU 14-004

(15912 Frederick Road, Lisbon, MD)

BA 15-014C <u>Constellation Solar Maryland, LLC. (Busse) (continuation)</u> 6/13/16

Conditional use for a Commercial Solar Facility on 37.24 acres (1740 Route 32)

(appealing Decision of Hearing Examiner)

BA 725-D & Scott Pascucci 7/19/16

726-D Appealing the rulings from the Animal Matters Hearing Board (to be remanded to Animal Control)

For Animal Matters Case Nos. 15-077 (2/24/16); and #15-059

And 15-060 (2/24/16) (On the Record Appeal)

DECISIONS MADE

CASE # PETITIONER

None

BOARD OF APPEALS CASES ON APPEAL TO CIRCUIT COURT

BA 10-001C <u>Donaldson Funeral Home</u>, (Oh)
H32 Conditional use for a funeral home.

ZK West of Route 108, about 1600' south of Ten Oaks Road intersection with Rt. 108.

(12540 Clarksville Pike)

Circuit Court affirmed Board of Appeals Decision of Approval

Court of Special Appeals affirmed BOA Decision of Approval – 7/20/16

BA 13-033C Al-Huda, Inc., t/a Dar-Us-Salaam

Conditional Use for structures used primarily for religious activities,

child day care center and private academic school

(14196 Frederick Road)

Appeal to Circuit Court filed 3/11/16 by Al-Huda, Inc., ta/ Dar-us-Salaam

Record filed in Circuit Court 5/17/16

BA 14-005C <u>AT&T Mobility</u> (Rapisarda) (Continuation)

BL New telecommunications monopole with related equipment and ground

compound; 12200 Scaggsville Road

Appeal to Circuit Court filed 4/4/16 by Viram Patel

Howard County Schedule of Hearings Before the Hearing Examiner August 12, 2016

HEARINGS SCI CASE #	HEDULED <u>PETITIONER</u>	DATE OF HEARING
BA 729-D	Martin & Maria Marino & Henry Barrow (Colombo) Appeal of a Decision by DPZ to waive Sec. 16.12(b)(4)(iii)(b) of the Subdivision & Land Development Regulations for WP-16-109, Five Hills Farm, which states that a lot or buildable preservation parcel must be 10 acres or greater to allow floodplains, wetlands, streams, buffers and forest conservation easements to be located on the lot or parcel (13880 Old Frederick Road, Sykesville)	9/8/16 9:30 a.m.
BA 16-001C&V ZK	<u>Daniel Wecker</u> Conditional use for a community meeting place in historic building use Variance to reduce use setback from 20' to 3' for existing driveway (5735 Race Road, Elkridge)	9/14/16 6:00 p.m.
BA 16-021C	Beth Shalom Congregation (Coale) Modification of a Conditional Use for an existing religious facility to allow a 2,949 square foot classroom addition (8070 Harriet Tubman Lane)	9/19/16 6:00 p.m.
BA 16-004V	Kady Group, Inc. Residential variance to reduce the required 20' side setback from a public road to 7.5 feet to replace an existing structure (6397 Beechfield Avenue)	9/22/16 9:30 a.m.
BA 16-005V	Jack & Diane Parzow Residential variance for an existing structure (11401 Harding Road, Laurel)	9/22/16 10:00 a.m.
BA 16-003C JJ	Holly House Farm LLC & Samuel Clements (Erskine)(continued) Conditional Use for a home based contractor (3408 Folly Quarter Road, Ellicott City)	9/29/16 6:00 p.m.
BA 16-019V	Michael & Janette Fine Residential variance to increase the maximum 600 square feet to allow for an addition to an existing detached garage (10250 Burleigh Cottage Lane)	10/6/16 9:30 a.m.
BA 16-015V	Brenda L. Houston & Robert J. Houston (Meachum) Residential variance to reduce the side setback from 10' to .2' and the rear setback from 10' to 3' for an existing shed (11391 Harding Road)	10/6/16 10:00 a.m.
BA 16-017V	John M. Skinner Residential variance to reduce the rear 10' setback to 1' for a 10x16 foot shed. (9237 W. Stayman Drive, Ellicott City)	10/13/16 9:30 a.m.

TBS

HEARINGS SCHEDULED (d	continued)
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CASE #	HEDULED (continued) <u>PETITIONER</u>	DATE OF HEARING
BA 16-002S	Petrus and Karen Karras (continued) Sign variance for a 27.69 sq.ft. freestanding ID sign to be set back 1 feet 6" from Baltimore Nat'l Pike ROW (9441 Baltimore National Pike)	10/13/16 10:00 a.m.
BA 16-023C	Howard County Conservancy (Robinson) Conditional Use for the expansion of CU approved in BA 02-10C, to build a one-story addition to the 9,000 square foot environmental education center (assembly building) and update information about hours or operation and number of occupants (10520 Old Frederick Road, Woodstock)	10/17/16 6:00 p.m.
BA 730-D	The Lyndwood Association, Inc. (Zaller) Appeal of an administration decision by DPZ/Development Engineering, to approve a red-line revision to SDP 02-055 at the request of Hearthstone at Timbers Condominium, Inc. aka The Courtyards at the Timbers; DPZ letter dated 4/29/16 (16.375 acres adjacent to MD Route 103-Meadowridge Road)	10/24/16 9:30 a.m.
BA 16-016C&V	Chad Zirk (Coale) Conditional use for a landscape contractor business and related storage & variance to reduce the use setback from lot lines to accommodate a driveway (2060 Woodbine Road)	11/7/16 6:00 p.m.
BA 16-020C	HeaOck Do Modification to condition of approval #4 in BA 14-006C (approved on 5/27/14 for a two family dwelling) requesting the removal of the condition that the Conditional Use be renewed every 2 years.	11/14/16 6:00 p.m.

CASES TO BE SCHEDULED

CASE #	<u>PETITIONER</u>	DATE OF HEARING

BA 16-013V <u>Srinivas and Sai Mallampalli</u> (Coale) (continued)

Variance to reduce the 7.5 foot side setback to 1.5' and to reduce the 25' rear setback to 15' to accommodate a deck

(3917 Edith Court, Ellicott City)

(3625 Andrea Drive)

(11746 Clarksville Pike)

PENDING DECISION

CASE #	<u>PETITIONER</u>	HEARING HELD
BA 16-001S	Cattail Creek Country Club (Chris Harriman) Variance for a 17.3 sq.ft. ID sign to be set back 1 foot from Route 97 and 7 feet from Cattail Creek Drive. (3600 Cattail Creek Drive, Glenwood)	7/18/16 9:30 a.m.
BA 16-009V	George & Teresa Boarman Residential variance to reduce the 75' front setback to 11' for an historic building	7/18/16 10:00 a.m.

8/11/16

7/18/16

8/1/16

8/11/16

8/11/16

11:00 a.m.

PENDING DECISION (continued)

PETITIONER CASE # **HEARING HELD**

BA 16-014N Quarles Petroleum (Coale)

Non-conforming use petition for a gas station

(7410 Washington Blvd.)

DECISIONS MADE

CASE # **PETITIONER**

BA 16-008V Jetti, Krishna Prasad **APPROVED**

Residential variance to reduce the 25 foot building restriction line

to 13 feet for the construction of a single family dwelling

(2236 Waverly Overlook Court)

BA 724-D Bruce & Ruth Altschuler **DENIED**

Appeal of a Planning Board denial dated 2/4/16 to adjust the accessory

structure setback requirement for the existing radio antenna to remain

in its present location.

(7308 Silent Bird Ct., Columbia, MD)

Paul S. DiMarco (Oh) BA 722-D DENIED

> Appeal of the denial by DPZ of WP 16-065 & subsequent e-mail refusing to 8/8/16

Reconsider such denial. 16.3 acres on Underwood Road, West Friendship

BA 727-D Tiru Liang, Alan Schneider & King Lin 7/25/16

Appeal of the Department of Planning and Zoning approval of the Site **DISMISSED** (motions hearing)

Development Plan SDP-14-059 (Donaldson Funeral Home)

(12540 Clarksville Pike, Clarksville)

BA 16-011V **APPROVED** Betty Weickgenannt

Residential variance to reduce the 60' rear setback to 38' at the corner

of the proposed structure (11930 Queen Street, Fulton)

Baltimore Gas & Electric Co.,c/o Mark Hellstern (Busse) BA 16-010V **APPROVED**

Residential variance to reduce the 50' front setback for a security

fence and related security camera poles to 20.5'; and the southernmost

side setback from 10' to 0.75' (13055 Greenberry Lane)

CASES IN PRESUBMISSION REVIEW

Date requested for more info:

PETITIONER CASE #

BA 14-012C Oak Ridge Farm, LLC. (Meachum)

Conditional use for the production of mulch and firewood BL

(2700 Woodbine Road, Woodbine)

BA 14-004S ZDR Food Service, Inc. (Kurlander)

Sign variance for two freestanding ID signs:

Sign A: 30 square feet Sign B: 50 square feet

Both 10 feet from Baltimore National Pike ROW

(9445 Baltimore National Pike)

CASES IN PRESUBMISSION REVIEW (continued)

Date requested for more info:

CASE # PETITIONER

BA 15-029C <u>Dale & Timmy Martins</u>

Conditional use for a pet grooming within the residence

(10688 Harding Road, Laurel)

BA 15-037C Fulton Family Childcare

Conditional use to expand an existing child care center from 8 to 12 children

(6934 Pindell School Road, Fulton)

BA 15-038V Edward J. Brown

Residential variance to reduce the required 10 foot side setback for a canopy.

(14668 Monticello Drive, Cooksville)

BA 15-007S MMGMB, LLC (Alan & Philip Margolis)

Sign variance for a 50 sq.ft. freestanding ID sign, 10 feet in height, to be located 10 feet from Washington Road

(3060 Washington Road, Glenwood)

BA 15-047N Phil Enterprise, LLC.

Non-Conforming Use for auto sales and rentals.

(6475 Washington Blvd., Elkridge)

BA 16-012C <u>BP Gas Station</u> (Chun)

Office space in existing auto repair shop (8720 Baltimore Nat'l Pike, 21043)

BA 16-018V Brad M. Bowling, t/a Elite Decks

Residential variance to reduce the 30 foot rear setback to 18 feet

for screen porch and open deck.

(8141 Morning Breeze Drive, Elkridge)

BA 16-022C <u>Christ Memorial Presbyterian Church</u> (Meachum)

Conditional use for an existing religious facility and approval

of a proposed expansion (6410 Amherst Avenue)

BA 16-024C Michael Do

Conditional use for a home occupation

(10213 Baltimore Nat'l Pike)

HEARINGS UNSCHEDULED

CASE # PETITIONER

BA 633-D/634-D David and Cynthia Lynn T/A The Inn at Peralynna, (Talkin)

Appealing zoning violation 08-010; and appealing letter of 3/7/08 from DPZ regarding use of the property. South side of MD 108 about 500' east of Eliot's Oak Road. (10605 Clarksville Pike)

BA 672-D <u>David R. Lynn and Cynthia W. Lynn, The Inn at Peralynna Manor,</u> (Talkin)

Appealing DPZ letter of 2/19/10 regarding a

proposed commercial kitchen. South of Clarksville

Pike, approx. 500' east of Eliot's Oak Rd (10605 Clarksville Pike)

DATE Placed on list

6/25/09

HEARINGS UN <u>CASE #</u>	SCHEDULED (continued) <u>PETITIONER</u>	DATE Placed on list
BA 14-009C JJ	Taro Investment Corporation (Carney) Conditional use for a modification of an existing water bottling facility to add an additional .9 of an acre and to modify conditions of original Decision and Order. (4649 Sheppard Lane)	4/26/14
CE 14-24	Jonathan & Sonya Miller – 10430 Shady Acres Lane Code Enforcement Citation – Maintenance of a contractor's business including storage of related vehicles, equipment, and materials on R-20 (Residential:Single) zoned property (waiting for ZRA to be processed)	4/1/15
BA 595-D	Rhonda and Barry Downey Appealing disputes related to property, access and subdivision plat 410 Morgan Station Road, Woodbine (Arbitration Case pending in Court of Special Appeals)	
BA 721-D	Wegmans Food Markets, Inc. (Oh) Appeal of a letter dated 11/12/15 from Val Lazdins, Director of DPZ, ruling that an establishment separate and not part of a grocery store would not be permitted to sell alcoholic beverages under FDP 117-A-11. (8855 McGaw Road, Columbia, MD)	2/22/16
BA 723-D	Gilliece Family, LLC by Edwin Cook (Erskine) Appeal of decision by DPZ requiring the dedication and construction of An internal public road that is not needed to serve the proposed subdivision SE River Road, Sykesville (100 acres)	3/3/16
BA 16-002C	Elm Street Development Inc., t/a Elm Street Communities, Inc. (Erskine) Modification of a Conditional Use approval in BA 09-24C, T-Mobile Northeast, LLC., to clarify the actual area within the subject property where the approved conditional use is applied. (6950 Haviland Mill Road, Clarksville)	3/18/16
BA 728-D	Gilliece Family, LLC. (Erskine) Appeal of DPZ decision to deny Petitioner's request to waive Sec. 16.116(a) which prohibits grading, removal of vegetative cover and trees, paving and new structures within 100' of a perennial streambank for the single driveway crossing for Buildable Preservation Parcel A (SE River Road, Sykesville, MD)	4/20/16
BA 15-035C&V BL	Waverly Investments, LLC. (Reuwer) Conditional use for use of historic building for personal service establishment – health, spa, yoga, massage therapy, hair salon, nail salon, wellness classes and similar uses; and variance to reduce the front building setback (10437 Clarksville Pike, Columbia, MD)	5/12/16
BA 711-D	AMHA, LLC. (Taylor) Appeal of waiver petition WP-15-058 (SDP 14-013) "reactivating" SDP And "extending" revised plan submission date	5/22/16

HEARINGS UN	SCHEDULED (cont)	DATE Placed on list
CASE #	<u>PETITIONER</u>	
BA 713-D	AMHA, LLC. (Taylor) Appeal of waiver petition WP-15-058 (SDP 14-013) "reactivating" SDP And "extending" revised plan submission date	5/22/16
BA 718-D	Two Farms, Inc. (Oh) Appeal of the Planning Board denial of SDP 14-013 for one commercial Lot on 3.81 acres zoned NT for construction of a gas station, convenience Store and car wash (9585 Snowden River Parkway)	6/7/16

Howard County Schedule of Hearings Before the Zoning Board August 12, 2016

ZB - Zoning Board Hearing:

PB - Planning Board Meeting:

All meetings and hearings are held on the first floor of

The George Howard Building

3430 Courthouse Drive, Ellicott City, MD 21043

Telephone: (410) 313-2350

Key

R - Regulation Amendment
PB Rec. - Planning Board Recommendation
WS - Work session - Council Conference Room

TBS - To Be Scheduled ZB - Zoning Board

SRC - Subdivision Review Committee

HEARINGS/MEETINGS/WORKSESSIONS SCHEDULED

HEARINGS. CASE #	MEETINGS/WORKSESSIONS SCHEDULED <u>PETITIONER</u>	<u>PB</u>	<u>ZB</u>
ZB 1108M BL	Kevin and Maria Garvey (Oh) AZM: to rezone 0.7 acre of POR zoned to RR-DEO zone (2605 Route 97)	6/2/16	10/13/16 7:00 p.m.
ZB 1107M BL	Olde Scaggsville, LLC (Oh) AZM: to rezone 2 acres from RR-MXD-3 to B-1 (Business Local) (11292 Scaggsville Road, Fulton)	6/2/16	10/24/16 7:00 p.m.
ZB 1106M ZK	Dorsey's Ridge, LLC. (Erskine) (continuation) AZM: from R-ED (Residential: Environmental Development) to CEF-R (Community Enhancement Floating-Residential) zoning district (3956, 3952 & 3960 (aka 3948) Cooks Lane, Ellicott City)	3/17/16	12/12/16 6:00 p.m.
ZB 1105M ZK	Chapelgate Presbyterian Church (Oh) (continued) AZM: from R-20 (Residential) to CEF-M (Community Enhancement Floating-Mixed Use) zoning district – 61.83 acres (2600 Marriottsville Road, Marriottsville)	10/2/14	Summation/Deliberation TBS (Mediation Requested by Zoning Board)
ZB 1085M ZK	Kit Kat Road Partners II, LLC (continued) AZM: To apply the Solid Waste Overlay District to this property which is currently zoned M-2. Northwest of Kit Kat Road, south of US 1. (7167 Kit Kat Road)		TBS

ZB CASES IN PRESUBMISSION REVIEW:

ZB 1109M <u>Bozzuto Homes, Inc.</u> (Oh)

JJ AZM: to rezone 3.7 acres from RR-DEO to R-SA-8.

(11475 Route 216, Fulton, MD)

ZB 1110M <u>Level Green Landscaping, LLC</u> (Meachum)

AZM: to rezone 3.25 acres from B-2 to BR for a landscape

contractor business

(12205 Hall Shop Road, Clarksville)

ZB 1111M Maple Grove at St. Johns, LLC (Oh)

AZM: to rezone 10.85 acres from POR, R-12 & R-20 to

R-A-15 with site plan documentation

(9011, 9060, 9061, 9071 & 9081 Upton Road, Ellicott City)

Schedule of Hearings Before the Howard County Council for Amendments to the Zoning Regulations August 12, 2016

CC - County Council Public Hearing:

PB - Planning Board Meeting: Held @ 7:00 p.m.

All meetings and hearings are held on the first floor of 3430 Courthouse Drive, Ellicott City, MD 21043

Telephone: (410) 313-2350

Key

R - Regulation Amendment TBS - To Be Scheduled * To be Televised, Cable 15 PB Rec. - Planning Board Recommendation WS - Work session - Council Conference Room

CC - County Council CB - Council Bill

HEARINGS CASE	SCHEDULED <u>PETITIONER</u>	PB DATE	PREFILE DATE	INTRO DATE	PUBLIC HEARING
ZRA 158	Jon Weinstein, Councilperson To amend Section 128: Supplementary Zoning District Regs. to permit density from potential infill lots in R-20, R-12 & R-ED to be sent to R-SA-8, R-A-15, R-APT and CAC under certain circumstances.	5/19/16			
ZRA 159 CB 46-2016	Ho.Co. Chairperson at the Request of the Howard County Fueling Station Task Force	12/3/15 (A 1/27/16)	6/27/16	7/8/16	7/18/16
	To update various sections of the existing Zoning Regulations pertaining to gasoline service stations.				PASSED
ZRA 160	Dayton Rural Preservation Society (Holzer) To amend various sections to eliminate yard waste composting and mulching and add State of MD Regs. for Composting and Natural Wood Waste Recycling – based on discussions held by the Mulch and Wood Waste Task Force.				
ZRA 162 CB 44-2016	Jennifer Terrasa, Councilperson (Johnson) To amend Section 125.0 NT (New Town) and Downtov Columbia Plan to include Inclusionary Zoning provision In the Downtown Columbia Revitalization process		6 5/31/16	7/8/16	7/14 @ 6 pm & 7/18 Tabled
ZRA 163 CB 34-2016	Jonathan Weinstein, Councilperson (Johnson) To amend Section 127.4.B.8. to remove a requirement to SFA dwellings may not occupy more than 40% of the Residential development area within a project in the TC	• •		/16 6/6	6/16 6/20/16 PASSED
ZRA 164	Dr. Calvin Ball, Councilperson (Johnson) To amend Section 106.1, County Preservation Easement and Section 131.0, Conditional Uses, to eliminate an unintended conflict that would prohibit the Commercial Solar Facilities on preservation parcels as a Conditional)/16		

HEARINGS <u>CASE</u>	SCHEDULED (continued) <u>PETITIONER</u>	PB DATE	PREFILE DATE	INTRO DATE	PUBLIC HEARING
ZRA 165	Robert Haney (Meachum) To establish a new Conditional Use category in 131.0.O for "Athletic Facilities, Commercial.	7/21/16			
ZRA 166 CB 34-2016	Binder Rock, LLC. (Oh) To amend Section 127.4.F.2.b. (TOD District) to remove "amenity areas" from 50% limitation on developable acreage	4/28/16 Approved	5/31/16	6/6/16	6/20/16 PASSED
ZRA 167	Elisa Kamens (Coale) To amend Section 131.0.N.39.b. to clarify language regarding noise being perceptible at lot lines for Pet Day Care Facilities	8/4/16			
ZRA 168	<u>Demirel Plaza, LLC.</u> (Oh) To amend the Zoning Regulations to add 9 uses to be permitted as a matter of right in Section 117.3.C. – Office Transition (OT) District.	9/1/16			
ZRA 169	Warren H. Boyer (Erskine) To amend Section 128.0.D in order to provide 1) that modular office buildings may be used as part of a CU Plan; 2) to provide that office trailers may be converted into modular office building and 3) to provide that in all zoning district, a storage or refuse container may be used with certain conditions imposed.	9/1/16 s;			
ZRA 170 CB 54-2016	<u>Valdis Lazdins, Planning Director (Johnson)</u> Amend Sec. 125.0 regarding downtown revitalization developme projects and moderate income housing units & Sec. 133.0 to update base parking ratios for residential land uses		16 6/27/16	7/8/16	7/14@ 6 pm & 7/18 Tabled